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22553 U.S. PTO
10/777759



Date: February 13, 2004

Docket No.: 3313-1113P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Yi-Tsuo WU; Jyh-Shyang WANG; Kun-Fong LIN;
Nikolai A. MALEEV; and D. A. LIVSHITS

For: VCSEL AND THE FABRICATION METHOD OF THE SAME

Enclosed are:

- ☒ A specification consisting of eleven (11) pages
- ☒ Six (6) sheet(s) formal drawings
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a) based on Application No(s). 092127846 filed in Taiwan on October 7, 2003.
 - ☒ Certified copy(ies) is(are) attached hereto.
 - ☐ Certified copy(ies) will follow.
- ☒ Executed Declaration (☒ Original ☐ Photocopy)

- ☒ An assignment of the invention
☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
☒ Preliminary Amendment
☒ Information Disclosure Statement, PTO-1449 and reference(s)
☐ Other:
☐ Applicant requests early publication - \$300.00 publication fee
☐ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	17- 20 =	0	X 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	3- 3 =	0	x 86 = \$0.00	x 43 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$770.00	\$0.00


- ☒ A check in the amount of \$810.00 to cover the filing fee and recording fee (if applicable) is enclosed.
☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
☒ Please send correspondence to:

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Joe McKinney Muncy, #32,334

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Attachment(s)

(Rev. 02/13/2004)